



A G E N D A

OCONEE COUNTY COUNCIL MEETING

July 19, 2022

6:00 PM

Council Chambers, Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

Call to Order

Moment of Silence

Invocation by County Council Chaplin

Pledge of Allegiance to the Flag of the United States of America

Approval of Minutes

June 21, 2022 Regular Minutes

County Attorney Comments

County Administrator Comments

Public Comment Session

[Limited to a total of forty (40) minutes, four (4) minutes per person]

If you are not able to attend in person and you have a comment, you may submit it by emailing jennifercadams@oconeesc.com or calling 864-718-1023, so that your comment may be read into the record.

Council Member Comments

Public Hearings for the Following Ordinances *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023 so that your participation may be coordinated.*

ORDINANCE 2022-15 AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF \$1,500,000 OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR PURPOSES OF IMPROVEMENTS TO THE SENECA CREEK BOAT RAMP FACILITIES; AND OTHER MATTERS RELATED THERETO.

COUNCIL MEMBERS

John Elliott, Chair, District I

Paul Cain, Vice-Chair, District III

Julian Davis, III, Chair Pro Tem, District IV

District II

Glenn Hart, District V

Third Reading of the Following Ordinances

ORDINANCE 2022-13 AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY OWNED BY OCONEE COUNTY, CONSISTING OF APPROXIMATELY 1.5 ACRES AND BEING A PORTION OF TAX MAP # 160-00-04-060 (“PARCEL 1”), AND AUTHORIZING THE RECEIPT OF CERTAIN REAL PROPERTY OWNED BY LUTHER L. LYLE, ET AL., CONSISTING OF APPROXIMATELY 1.5 ACRES AND BEING A PORTION OF TAX MAP # 160-00-04-003 (“PARCEL 2”) IN EXCHANGE FOR THE CONVEYANCE OF PARCEL 1; AND OTHER MATTERS RELATED THERETO.

ORDINANCE 2022-15 AN ORDINANCE TO APPROPRIATE AND AUTHORIZE THE EXPENDITURE OF \$1,500,000 OF LOCAL CORONAVIRUS FISCAL RECOVERY FUNDING UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 (“ARPA”) FOR PURPOSES OF IMPROVEMENTS TO THE SENECA CREEK BOAT RAMP FACILITIES; AND OTHER MATTERS RELATED THERETO.

Second Reading of the Following Ordinances

ORDINANCE 2022-14 AN ORDINANCE GRANTING CERTAIN EASEMENT AND/OR ENCROACHMENT RIGHTS TO CORE SVA SENECA EDINBURG, LLC, OR ITS AFFILIATE, AT OR NEAR PROPERTY COMMONLY REFERRED TO AS THE PIER.

ORDINANCE 2022-16 AN ORDINANCE AMENDING THE OCONEE COUNTY CONSERVATION BANK ORDINANCE, O.C. CODE SECTIONS 2-398 THROUGH 2-409.

ORDINANCE 2022-17 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN OCONEE COUNTY, AS LESSOR, AND THE UNITED STATES OF AMERICA / DEPARTMENT OF AGRICULTURE, AS LESSEE, IN RELATION TO CERTAIN PREMISES LOCATED AT 301 WEST SOUTH BROAD STREET, WALHALLA, SOUTH CAROLINA.

First Reading of the Following Ordinances

ORDINANCE 2021-19 AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF DEVELOPMENT STANDARDS IN RELATION TO LIGHTING, SCREENING, AND BUFFERING; AND OTHER MATTER RELATED THERETO.

From Planning Commission with report

ORDINANCE 2022-18 AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN IMPROVED REAL PROPERTY, CONSISTING OF APPROXIMATELY 2.83 ACRES, TO TRI-COUNTY TECHNICAL COLLEGE, WHICH PROPERTY WAS INITIALLY DEVELOPED AS THE “QUICKJOBS DEVELOPMENT CENTER” UNDER A COMMUNITY DEVELOPMENT BLOCK GRANT; AND OTHER MATTERS RELATED THERETO.

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2022 Edward Byrne Memorial JAG Grant Notification

Department(s): Oconee County Sheriff's Office

Oconee County Sheriff's Department may receive an allocation of \$14,779.00 from the Bureau of Justice Assistance. The grant program requires the notification of intent be made available for the County Council and the public to review and comment on the proposed use of funds. The Sheriff's Department plans to use the funds from this program to purchase 2 ballistic shields. Any overage will be taken from the Sheriff's Department capital equipment line item.

Title: Airport Runway Pavement Rehabilitation Grant Acceptance and County Match Request

Department(s): Airport

Amount: Project Match:	\$349,186.90
<u>Contingency Match:</u>	<u>\$ 34,868.69</u>
Total:	\$384,055.59

The total amount of the Airport Runway Pavement Rehabilitation project is \$6,983,738.00. The FAA offers and agrees to pay ninety (90) percent of the allowable costs incurred accomplishing this Project, up to \$6,285,364.20, pending offer / award letter. Oconee County's matching share for this Grant is five (5) percent of the costs of the Airport Runway Pavement Rehabilitation Project, or approximately \$349,186.90 plus possible contingency \$34,868.69 for a total of \$384,055.59, contingency on approval of supplemental appropriation Ordinance No. 2022-19. The South Carolina Aeronautics Commission (SCAC) will match the remaining five (5) percent.

Oconee County, the FAA, and the SCAC have worked in conjunction for many years for the continued improvement of the Oconee County Regional Airport including, but not limited to, for the following projects:

- On August 24, 2021, The County accepted Grant Offer AIP 3-45-0016-030-2021, Rehabilitate Runway 7/25 Design, and
- On October 19, 2021, Council approved the award of WK Dickson WA# 7 which included BE Project Update, Project Development, Engineering Design, permitting, Bid Phase Services, Professional Services for Field Surveys, and Geotechnical Investigations associated with the rehabilitation of existing asphalt runway 7/25, and
- On February 1, 2022, Council approved the award of RFP 21-08 for Professional Engineer and Consulting Services for the Oconee County Airport to W.K. Dickson & Company, Inc., of Columbia SC for a five-year term for services, as needed.
- Kimley-Horn Associates, Inc. completed and submitted the results of an Independent Fee Analysis of the professional engineering services associated with the Runway Pavement Rehabilitation Project to the FAA.

The Oconee County Airport wishes to accept the Federal Aviation Administration (FAA) Runway Pavement Rehabilitation Construction Grant, which is in process, pending on written FAA Award Notification as part of the Airport Improvement Program.

The Construction Portion of this project is \$6,577,200.00 (FAA 90%: \$5,919,480.00, SCAC 5%: \$328,860.00, County 5%: \$328,860.00).

Staff is requesting the approval of a 10% project contingency, \$657,720.00. (FAA 90%: \$591,948.00, SCAC 5%: \$32,886.00, County 5%: \$32,886.00) This would be to cover any additional or unforeseen items that may arise during the project. If a change order is requested, it would be accepted by the FAA prior to being approved by the County.

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The Engineering Portion of this project is \$ 396,538.00 (FAA 90%; \$356,884.20, SCAC 5%: \$19,826.90, County 5%: \$19,826.90). Staff is requesting the approval of a 10% project contingency, \$39,653.80 (FAA 90%; \$35,688.42, SCAC 5%: \$1,982.69, County 5%: \$1,982.69). This would be to cover any engineering and construction monitoring for additional or unforeseen items that may arise during the project. If a change order is requested, it would be accepted by the FAA prior to being approved by the County.

The Administration portion of this project is \$10,000.00 (FAA 90%: \$9,000.00, SCAC 5%: \$500.00, County 5%: \$500.00). Staff is not requesting a contingency for this portion.

Timely acceptance of this Grant is crucial to ensuring the Airport Runway Rehabilitation Project begins as soon as practical to prevent additional pavement deterioration.

Oconee County Airport Director, Jeff Garrison, received a verbal notification from the FAA that the Runway Pavement Rehabilitation Project Grant is in process; this approval is pending Oconee County receiving the written FAA Award notification.

It is the staff's recommendation that Council:

1. Authorize County Administrator to accept and execute the Federal Aviation Administration (FAA) Grant Offer for the Airport Runway Pavement Rehabilitation (AIP) Project, and

2. Commit up to \$384,055.59 in matching funds, contingent on approval of supplemental appropriation Ordinance No. 2022-19.

Title: Airport Runway Pavement Rehabilitation

Department: Airport

Amount: FAA 90%	\$5,919,480.00
State 5%	\$328,860.00
County 5%:	<u>\$328,860.00</u>
Project Award:	\$6,577,200.00
Contingency (10%)	<u>\$657,720.00</u>
Total Award:	\$7,234,920.00

Procurement was approved by Council in Fiscal Year 2022-2023 budget process.

Budget: \$ 7,234,920.00

Project Cost: \$7,234,920.00

Balance: \$0.00

Airport Runway Pavement Rehabilitation Grant Funding, contingent on approval of supplemental appropriation Ordinance No. 2022-19.

This construction contract consists of furnishing all labor, materials and equipment needed for the Rehabilitation of the Runway Pavement at the Oconee County Regional Airport. The existing runway pavement is beyond its usable life. Localized pavement failure throughout the runway has recently required brief airport closures for emergency pavement repairs. This construction project will consist of: removing existing surface course pavement and constructing new asphalt surface course for the entire runway and connector taxiways inside the runway safety area (RSA) in accordance with FAA design and construction requirements.

On April 26, 2022, formal sealed bids were opened. Twenty-nine (29) companies were notified of this bid opportunity and there were (5) five General Contractor companies on the plan holders list. One bid was received from Rogers Group, Inc., of Greer, SC, in the amount of \$6,577,200.00.

The FAA approved \$6,577,200.00 for this project. A 10% contingency has been added to this amount for a total award amount of \$7,234,920.00.

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W. K. Dickson assisted the County with submitting the grant application requesting funding for this construction. The grant application was submitted on May 3, 2022. A verbal award notice from the FAA was received on June 17, 2022. This approval request is pending the written Grant Award Letter from the FAA.

The FAA will pay 90% (\$5,919,480.00) of the actual construction costs; SCAC will pay 5% (\$328,860.00); and the County will pay 5% (\$328,860.00). If a change order is requested and approved by the FAA, the FAA will pay 90%, the SCAC will pay 5%, and the County will match 5% of said Change Order.

The County is required to provide 5% match for this grant. This request includes a request for Council approval to commit matching funds in the amount of \$328,860.00 for this project. (Approval to accept grants funding is included, prior to this action item, on the Agenda for this meeting.)

It is the staff’s recommendation that Council:

1. Approve the award of ITB 21-17 to Rogers Group, Inc., of Greer, SC in the amount of \$6,577,200.00, with a 10% contingency of \$657,720.00, for a total award of \$7,234,920.00, pending written grant award and contingent on approval of supplemental appropriation Ordinance No. 2022-19.

2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Title: W.K. Dickson Work Authorization #1 (Airport Runway Pavement Rehabilitation
Department(s): Airport Construction Admin and Observation)

Amount: FAA	90%	\$ 356,884.20
State	5%	\$ 19,826.90
County	5%	\$ 19,826.90
Project Award:		\$ 396,538.00
Contingency 10%:		\$ 39,653.80
Total Award:		\$ 436,191.80

Procurement was approved by Council in Fiscal Year 2022-2023 budget process.

Budget: \$436,191.80 Project Cost: \$436,191.80 Balance: \$0.00

Airport Runway Pavement Rehabilitation Grant Funding, Contingent on approval of supplemental appropriation Ordinance No. 2022-19.

Oconee County, the Federal Aviation Administration (FAA), and the SC Aeronautics Commission (SCAC) have worked in conjunction for many years for the continued improvement of the Oconee County Regional Airport, including, but not limited to, the following projects:

- On August 24, 2021, The County accepted Grant Offer AIP 3-45-0016-030-2021, Rehabilitate Runway 7/25 Design, and
- On October 19, 2021, Council approved the award of WK Dickson WA# 7 (under RFP 16-07 Airport Engineering Services) which included BE Project Update, Project Development, Engineering Design, permitting, Bid Phase Services, Professional Services for Field Surveys,

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and Geotechnical Investigations associated with the rehabilitation of existing asphalt runway 7/25, and

- On February 1, 2022, Council approved the award of RFP 21-08 for Professional Engineer and Consulting Services for the Oconee County Airport to W.K. Dickson & Company, Inc., of Columbia SC for a five-year term for services, as needed.

W.K Dickson Work Authorization WA# 1(Under RFP 21-08 Airport Engineering Services), in the amount of \$396,538.00, includes professional services for construction administration (CA) and construction observation (CO) for the Airport Runway Rehabilitation project.

Staff is requesting a 10% contingency in the amount of \$39,653.80 (FAA 90%; \$35,688.42, SCAC 5%: \$1,982.69, County 5%; \$1,982.69). This would be to cover any engineering and construction monitoring for additional or unforeseen items that may come up during the project. If a change order is requested, it would be accepted by the FAA prior to being approved by the County. (Approval to accept grant funding is included, prior to the action item, on the Agenda for this meeting.)

The funding for these services were included as part of the FAA Airport Improvement Program Project; Runway Pavement Rehabilitation. This award is pending receipt of FAA offer / award letter.

It is the staff's recommendation that Council:

1. Approve Work Authorization #1 from W.K Dickson & Co., Inc. for professional services for construction administration (CA) and construction observation (CO) for the Airport Runway Rehabilitation project in the amount of \$ 396,538.00, plus a 10% contingency in the amount of \$39,653.80 for a total award of \$436,191.80, pending Grant Award Letter and contingent on approval of supplemental appropriation Ordinance # 2022-19.

2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.

Title: Engineering Services for Groundwater Monitoring & Reporting

Department(s): Solid Waste

Amount: \$78,000.00 (Estimated)

Procurement was approved by Council in Fiscal Year 2022-2023 budget process.

Budget: \$451,000.00

Project Cost: \$78,000.00

Balance: \$373,000.00

At the April 19, 2022 Council meeting, Council approved the award of RFP 21-14 to Smith Gardner, Inc., for Engineering Services for Solid Waste with the option to extend the contract for four (4) consecutive one (1) year terms. The Solid Waste department wishes to contract with Smith Gardner to provide engineering services for groundwater and stream water sampling and monitoring at the Seneca and Five Forks landfills; and the required analysis and submission of annual reports to SCDHEC.

Staff is requesting Council authorize the Administrator to approve the award of the Groundwater Sampling and Reporting to Smith Gardner, Inc. and for the remaining 4 years of the contract, provided the contract is renewed, funds are budgeted, and the work is satisfactory. The dollar amount is estimated due to possibility of additional wells that may require testing and reporting.

It is the staff's recommendation that Council:

1. Approve the award of an estimated \$78,000.00 to Smith Gardner, Inc., of Raleigh, NC for engineering services for groundwater monitoring and reporting

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2. Authorize the County Administrator to renew the Engineering Services for Groundwater Sampling and Reporting for the remaining 4 years under the RFP 21-14 Contract, as along as all work is deemed satisfactory.

Title: Removal & Recycling of Scrap Tires

Department: Solid Waste

Amount: \$123,000.00 (Estimated)

Procurement was approved by Council in Fiscal Year 2022-2023 budget process.

Budget: \$172,416.00

Project Cost: \$123,000.00

Balance: \$49,416.00

Solid Waste has \$90,000.00 in their FY 22-23 Budget and with the subsidy and SC Treasurer revenues, the total estimated budget for these services is \$172,416.00.

Oconee County Solid Waste accepts tires from County residents and businesses to be recycled. County residents can leave up to four passenger size tires at the convenience centers. All tires from businesses and larger size tires are accepted at the Solid Waste Complex. Tires are loaded into trailers provided by the tire recycler and the tire recycler comes and picks up the trailers of tires and transports them to their recycling plant.

For the past five years, Liberty Tires/Ridge Recyclers has provided this service. When this service was bid in 2017, there were nine (9) vendors on the DHEC’s “Approved Waste Tire Recycling and Processing Facilities” and the bid was emailed to all vendors (9) on the DHEC list. Only one bid was submitted and it was from Liberty Tires / Ridge Recyclers. There are no other approved tire recyclers located in the upper part of SC or nearby in GA or NC. Other recyclers are too far away to make the transport of tires feasible. Per their website, Liberty Tire “converts scrap tires into raw materials that can be reused for beneficial products such as molded rubber goods, rubber flooring, rubberized asphalt and shock-absorbing athletic surfaces, as well as playground and landscape mulch”.

The award amount is calculated based on an estimate of 420 tons of tires annually. See attached worksheet to show how the award amount was calculated for a one-year period.

The Director of Solid Waste has discussed this issue with DHEC and they are aware that there is only one vendor available that will service the upper part of the state. DHEC helps subsidize the cost of tire recycling. For 2023, the subsidy will be \$40,416. In addition, Oconee County receives revenue from the SC State Treasurer for each new tire sold in Oconee County. The funds received typically average about \$41,000 per year.

It is the staff’s recommendation that Council:

- 1. Approve the award of Removal and Recycling of Scrap Tires to Liberty Tires/ Ridge Recyclers of Johnston, SC in the estimated amount of \$123,000.00 annually.***
- 2. Authorize the County Administrator to approve the renewal of this contract for up to four additional one-year periods, provided the amount does not exceed the amount budgeted annually for these services.***

COUNCIL MEMBERS

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Title: Road Striping 2022-2023

Department: Roads and Bridges

Amount: \$641,334.96

Procurement was approved by Council in Fiscal Year 22-2023 budget process.

Budget: \$641,334.96

Project Cost: \$641,334.96

Balance: \$0.00

Funding from Road Maintenance Fund

Road Striping 2022-2023 will consist of striping approximately 145 center line miles of roadways with a 4" double yellow centerline using thermoplastic pavement marking 90 mils thick. The project is tentatively scheduled to start in August 2022. This purchase is made by utilizing State Contract Number 4400022036; On-Call Pavement Marking-Oconee. All work methods, materials and equipment will meet the latest edition of the SCDOT Standard Specifications for Highway Construction.

Peek Pavement Marking, LLC of Columbus, GA holds the SC State Contract for On-Call Pavement Markings-Oconee, contract number 4400022036.

It is the staff's recommendation that Council award Road Striping 2022-2023, to Peek Pavement Marking, LLC., of Columbus, GA, in the amount of \$641,334.96, per SC State Contract Number 4400022036.

Council Committee Reports

None scheduled for this meeting.

Board & Commission Appointments

The Board & Commission seats listed below are co-terminus with Council District seats and will require [in the 1st quarter of 2021] appointment and/or reappointment as follows:

Arts and Historical Commission

1 At-Large Seat: No questionnaire on file for this seat

Conservation Bank Board

1 At-Large Seat: No questionnaire on file for this seat

Executive Session

[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]

- [1] Discuss personnel and employment matter regarding the County Attorney.*
- [2] Discussion regarding a personnel matter related to the Sheriff's Office.*
- [3] Receive legal advice and discuss litigation matter related to the Sheriff's Office.*
- [4] Discuss an Economic Development matter, Project Harmony.*

Adjourn

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